

**EHB 2219** - S AMD 492

By Senator Mulliken

1       Strike everything after the enacting clause and insert the  
2 following:

3       "**Sec. 1.** RCW 36.70A.367 and 2004 c 208 s 1 are each amended to  
4 read as follows:

5       (1) In addition to the major industrial development allowed under  
6 RCW 36.70A.365, a county planning under RCW 36.70A.040 (~~(that meets the~~  
7 ~~criteria in subsection (10) or (11) of this section)) may establish, in  
8 consultation with cities consistent with provisions of RCW 36.70A.210,  
9 a process for designating a bank of no more than two master planned  
10 locations for major industrial activity outside urban growth areas.~~

11       (2) A master planned location for major industrial developments  
12 outside an urban growth area may be included in the urban industrial  
13 land bank for the county if criteria including, but not limited to, the  
14 following are met through the completion of a comprehensive planning  
15 process that ensures that:

16       (a) Development regulations are adopted to ensure that urban growth  
17 will not occur in adjacent nonurban areas;

18       (b) The master plan for the major industrial developments is  
19 consistent with the county's development regulations adopted for  
20 protection of critical areas;

21       (c) An inventory of developable land has been conducted as provided  
22 in RCW 36.70A.365;

23       (d) Provisions are established for determining the availability of  
24 alternate sites within urban growth areas and the long-term annexation  
25 feasibility of land sites outside of urban growth areas; and

26       (e) Development regulations are adopted to require the industrial  
27 land bank site to be used primarily for locating industrial and  
28 manufacturing businesses and specify that the gross floor area of all  
29 commercial and service buildings or facilities locating within the  
30 industrial land bank shall not exceed ten percent of the total gross

1 floor area of buildings or facilities in the industrial land bank. The  
2 commercial and service businesses operated within the ten percent gross  
3 floor area limit shall be necessary to the primary industrial or  
4 manufacturing businesses within the industrial land bank. The intent  
5 of this provision for commercial or service use is to meet the needs of  
6 employees, clients, customers, vendors, and others having business at  
7 the industrial site and as an adjunct to the industry to attract and  
8 retain a quality work force and to further other public objectives,  
9 such as trip reduction. Such uses would not be promoted to attract  
10 additional clientele from the surrounding area. The commercial and  
11 service businesses should be established concurrently with or  
12 subsequent to the industrial or manufacturing businesses.

13 (3) The process for reviewing and approving proposals to authorize  
14 siting of specific major industrial developments within an approved  
15 industrial land bank must ensure through adopted development  
16 regulations that:

17 (a) New infrastructure is provided for and/or applicable impact  
18 fees are paid;

19 (b) Transit-oriented site planning and traffic demand management  
20 programs are implemented;

21 (c) Buffers are provided between the major industrial development  
22 and adjacent nonurban areas;

23 (d) Environmental protection including air and water quality has  
24 been addressed and provided for;

25 (e) Provision is made to mitigate adverse impacts on designated  
26 agricultural lands, forest lands, and mineral resource lands; and

27 (f) An interlocal agreement related to infrastructure cost sharing  
28 and revenue sharing between the county and interested cities is  
29 established.

30 (4) In selecting master planned locations for inclusion in the  
31 urban industrial land bank, priority shall be given to locations that  
32 are adjacent to, or in close proximity to, an urban growth area.

33 (5) Final approval of inclusion of a master planned location in an  
34 urban industrial land bank under subsection (2) of this section shall  
35 be considered an adopted amendment to the comprehensive plan adopted  
36 pursuant to RCW 36.70A.070, except that RCW 36.70A.130(2) does not  
37 apply so that inclusion or exclusion of master planned locations may be

1 considered at any time. Approval of specific development proposals  
2 under subsection (3) of this section requires no further comprehensive  
3 plan amendment.

4 (6) Once a master planned location has been included in an urban  
5 industrial land bank, manufacturing and industrial businesses that  
6 qualify as major industrial development under RCW 36.70A.365 may be  
7 located there.

8 (7) Nothing in this section alters the requirements for a county to  
9 comply with chapter 43.21C RCW.

10 ~~(8)((a) The authority of a county meeting the criteria of~~  
11 ~~subsection (10) of this section to engage in the process of including~~  
12 ~~or excluding master planned locations from an urban industrial land~~  
13 ~~bank terminates on December 31, 2007. However, any location included~~  
14 ~~in an urban industrial land bank on or before December 31, 2007, shall~~  
15 ~~be available for major industrial development as long as the criteria~~  
16 ~~of subsection (2) of this section are met.))~~ A county that has  
17 established or proposes to establish an industrial land bank pursuant  
18 to this section shall review the need for an industrial land bank  
19 within the county, including a review of the availability of land for  
20 industrial and manufacturing uses within the urban growth area, during  
21 the review and evaluation of comprehensive plans and development  
22 regulations required by RCW 36.70A.130.

23 ~~((b) The authority of a county meeting the criteria of subsection~~  
24 ~~(11) of this section to engage in the process of including or excluding~~  
25 ~~master planned locations from the urban industrial land bank terminates~~  
26 ~~on December 31, 2002. However, any location included in the urban~~  
27 ~~industrial land bank on December 31, 2002, shall be available for major~~  
28 ~~industrial development as long as the criteria of subsection (2) of~~  
29 ~~this section are met.))~~

30 (9) For the purposes of this section:

31 (a) "Major industrial development" means a master planned location  
32 suitable for manufacturing or industrial businesses that: (i) Requires  
33 a parcel of land so large that no suitable parcels are available within  
34 an urban growth area; (ii) is a natural resource-based industry  
35 requiring a location near agricultural land, forest land, or mineral  
36 resource land upon which it is dependent; or (iii) requires a location  
37 with characteristics such as proximity to transportation facilities or

1 related industries such that there is no suitable location in an urban  
2 growth area. The major industrial development may not be for the  
3 purpose of retail commercial development or multitenant office parks.

4 (b) "Industrial land bank" means up to two master planned  
5 locations, each consisting of a parcel or parcels of contiguous land,  
6 sufficiently large so as not to be readily available within the urban  
7 growth area of a city, or otherwise meeting the criteria contained in  
8 (a) of this subsection, suitable for manufacturing, industrial, or  
9 commercial businesses and designated by the county through the  
10 comprehensive planning process specifically for major industrial use.

11 ~~(10) ((This section and the termination date specified in~~  
12 ~~subsection (8)(a) of this section apply to a county that at the time~~  
13 ~~the process is established under subsection (1) of this section:~~

14 ~~(a) Has a population greater than two hundred fifty thousand and is~~  
15 ~~part of a metropolitan area that includes a city in another state with~~  
16 ~~a population greater than two hundred fifty thousand;~~

17 ~~(b) Has a population greater than one hundred forty thousand and is~~  
18 ~~adjacent to another country;~~

19 ~~(c) Has a population greater than forty thousand but less than~~  
20 ~~seventy five thousand and has an average level of unemployment for the~~  
21 ~~preceding three years that exceeds the average state unemployment for~~  
22 ~~those years by twenty percent; and~~

23 ~~(i) Is bordered by the Pacific Ocean;~~

24 ~~(ii) Is located in the Interstate 5 or Interstate 90 corridor; or~~

25 ~~(iii) Is bordered by Hood Canal;~~

26 ~~(d) Is east of the Cascade divide; and~~

27 ~~(i) Borders another state to the south; or~~

28 ~~(ii) Is located wholly south of Interstate 90 and borders the~~  
29 ~~Columbia river to the east; or~~

30 ~~(e) Has an average population density of less than one hundred~~  
31 ~~persons per square mile as determined by the office of financial~~  
32 ~~management, and is bordered by the Pacific Ocean and by Hood Canal.~~

33 ~~(11) This section and the termination date specified in subsection~~  
34 ~~(8)(b) of this section apply to a county that at the time the process~~  
35 ~~is established under subsection (1) of this section:~~

36 ~~(a) Has a population greater than forty thousand but fewer than~~  
37 ~~eighty thousand;~~

1       ~~(b) Has an average level of unemployment for the preceding three~~  
2 ~~years that exceeds the average state unemployment for those years by~~  
3 ~~twenty percent; and~~  
4       ~~(c) Is located in the Interstate 5 or Interstate 90 corridor.~~  
5       (12)) Any location included in an industrial land bank pursuant to  
6 section 2, chapter 289, Laws of 1998, section 1, chapter 402, Laws of  
7 1997, and section 2, chapter 167, Laws of 1996 shall remain available  
8 for major industrial development according to this section as long as  
9 the criteria of subsection (2) of this section continue to be  
10 satisfied."

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11       On page 1, line 1 of the title, after "banks;" strike the remainder  
12 of the title and insert "and amending RCW 36.70A.367."

EFFECT: Allows all counties planning fully under the GMA to  
utilize the additional industrial development process to designate and  
bank up to two master planned locations for major industrial activity  
outside urban growth areas.

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